

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

TONY WEBB

PLAINTIFF

V.

CAUSE NO.: 1:11CV082-SA-DAS

BLAKE EAST and T. HARRISON

DEFENDANTS

ORDER ON CONTINUANCE

Plaintiff has moved for a reconsideration of this Court's denial of his Motion to Continue the trial date [97, 98]. In particular, Plaintiff claims his newly retained counsel has not had adequate time to prepare for the trial set September 16, 2013. Moreover, Plaintiff states that prior to his entry as counsel, Plaintiff's attorney was already scheduled to be in Monroe County Chancery Court on the dates scheduled for this trial.

This case was filed on March 28, 2011. The trial date of this matter has been set since November 8, 2012. Plaintiff proceeded pro se until his present counsel appeared on June 27, 2013. Therefore, at the time Plaintiff's counsel took this case, he was aware of the September 16, 2013, trial date. Indeed, Plaintiff's counsel knew he had a conflict, but did not inform the Court of this conflict until three weeks prior to trial.

The Northern District of Mississippi customarily defers trial dates where another court set a proceeding prior to the federal court. Here, the Monroe County Chancery Court proceeding was set on June 12, 2013. Accordingly, the Plaintiff has provided no just reason for the Court to reconsider its prior ruling denying his Motion to Continue. For these reasons, the Court declines to continue this case. Trial will commence on September 16, 2013.

SO ORDERED, this the 3rd day of September, 2013.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE